IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 20952 of 2004

Between:

T. Narsinga Rao, S/o Venkataiah, Hindu,

Aged 61 years, Part Time Assistant,

(under suspension) R/o Garimalla Village,

Manchiryal Mandal, Adilabad District.

..... PETITIONER

AND

1. The District Collector (Panchayat Wing),

Adilabad District, Adilabad.

2. The Commissioner of Panchayat Raj &

Rural Employment, AP, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order or direction in the nature of Writ of Mandamus declaring the action of the 1st respondent in issuing proceedings bearing No.625/K.1/Pts/04 dated 3-9-2004 and consequential order of the 2nd respondent passed in his proceedings

No.10706/CPR&RE/G2/2004 dated 27-10-2004 are illegal, arbitrary and against the principles of natural justice and also the orders dated 3-11-2004 passed in OA No.6041 of 2004 on the file of the A.P. Administrative Tribunal, Hyderabad, set aside and consequentially direct the 1st to reinstate the petitioner as Part Time Assistant, Garimilla village,Manchirial Mandal of Adilabad District in the interest of justice.

For the Petitioner: Mr. Pettem Rajaiah, Advocate

For the Respondents : Government Pleader for Revenue

The Court at the stage of admission made the following :

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:: ORDER ::

(Per Hon'ble Sri Justice J. Chelameswar)

The petitioner is a Part Time Assistant in Garimalla Gram Panchayat, Adilabad District. By the order dated 3.9.2004 the 1st respondent herein kept the petitioner under suspension pending enquiry against the charges. The charges were made on 9.10.2004. Aggrieved by the suspension order, the petitioner preferred an appeal before the 2nd respondent, which was rejected by the order dated 27.10.2004. Thereafter the petitioner approached the A.P. Administrative Tribunal by way of O.A. No. 6041 of 2004. By the impugned order the Tribunal disposed of the O.A. directing the 1st respondent herein to finalise the disciplinary proceedings against the petitioner expeditiously, preferably within a period of four months and communicate the orders. The Tribunal also directed that since the suspension order did not indicate payment of any subsistence allowance payable to the petitioner, subsistence allowance be sanctioned by the 1st respondent to the petitioner in accordance with the rules.

Not satisfied by the order of the Tribunal the petitioner filed the present writ petition.

Normally in the matters of suspension pending enquiry this court would not interfere and no

exception is made out in the present case more particularly in view of the specific directions given by the Tribunal. We do not see any reason to interfere with the impugned order. No merit in the writ petition, which is accordingly dismissed at the stage of admission. No costs.

Date: 16.11.2004 ----------

Pvsn Justice J. Chelameswar

Justice G.Raghuram

Copies to

1. The District Collector (Panchayat Wing),

Adilabad District, Adilabad.

2. The Commissioner of Panchayat Raj &

Rural Employment, AP, Hyderabad.

3. The Registrar, AP Administrative Tribunal,

Hyderabad.

4. Two copies to the Government Pleader for Revenue, High Court

Buildings, Hyderabad (OUT)

5. Two CD Copies.